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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,025	12/15/2003	Thomas E. Creamer	BOC9-2003-0069 (440)	4173
40987	7590	10/15/2008	EXAMINER	
AKERMAN SENTERFITT P. O. BOX 3188 WEST PALM BEACH, FL 33402-3188			GOODCHILD, WILLIAM J	
		ART UNIT	PAPER NUMBER	
		2445		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/736,025	CREAMER ET AL.	
	Examiner	Art Unit	
	WILLIAM J. GOODCHILD	2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 July 2008.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,4-13 and 37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1, 4-13 and 37 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 6-13 and 37 rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind, and further in view of Galli et al., (US Publication No. 2005/0086309), (hereinafter Galli) and Stone, Biz, ("Blogging: Genius Strategies for Instant Web Content), (hereinafter Stone).

Regarding claim 1, Roskind discloses establishing an instant messaging session among two or more users [Roskind, paragraphs 74 and 93 and figure 6]; compiling a transcript of the instant messaging session by an instant messaging client [Roskind, paragraph 97] upon a request of a user of the instant messaging client [Roskind, paragraph 15]; saving the compiled transcript to a specified portion of a memory [Roskind, paragraph 95].

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Roskind does not specifically disclose receiving a user request to publish the transcript of the session to at least one Weblog specified by the user; transmitting the saved transcript to a blogging system; determining a destination of the at least one Weblog; generating an indicator indicating at least one of a format, font, and color in which the transcript is to be published; and publishing the transcript to the at least one Weblog according to the indicator.

However, Galli, in the same field of endeavor discloses the user can share the selected online service in the IM session [Galli, paragraphs 52 and 116]. It would have been obvious to one having ordinary skill in the art at the time the invention was made in to modify Roskind to include sharing the selected IM session with a blog in order to allow blogs to be updated from a users log.

Galli further discloses transmitting the saved transcript to a blogging system [Galli, paragraph 109]; determining the destination of the at least one Weblog [Galli, paragraph 109]; publishing the transcript to the at least one Weblog according to the indicator [Galli, paragraph 116].

Stone, in the same field of endeavor discloses using a predefined template [Stone, chapter 16, 3rd paragraph under “Template Management Systems: The Future of Site Management”, “WebCrimson goes beyond blogging in that you are allowed to create

almost any type of site. Here is a list of WebCrimson's standard features:", "Automated templating technology for generating whole new areas of your site with a consistent look and feel including: Single Entry templates, Index templates, Blog templates"]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the use of a predefined template in order to separate design from content.

Regarding claim 6, Roskind-Galli-Stone further discloses formatting the transcript according to a predefined template [Stone, chapter 16, 3rd paragraph under "Template Management Systems: The Future of Site Management"].

Regarding claim 7, Roskind-Galli-Stone further discloses the predefined template specifies one of a plurality of weblogs to which the transcript is published, or one of a plurality of sections of the weblog to which the IM transcript is stored [Stone, chapter 16, 3rd paragraph, "WebCrimson goes beyond blogging in that you are allowed to create almost any type of site. Here is a list of WebCrimson's standard features:", "Automated templating technology for generating whole new areas of your site with a consistent look and feel including: Single Entry templates, Index templates, Blog templates"].

Regarding claim 8, Roskind-Galli-Stone further discloses the template specifies instructions for processing the weblog according to an identity of a sender [Stone, chapter 18, 4th paragraph, "Posting via AIMTM" and Figure 18.1].

Regarding claim 9, Roskind-Galli further discloses exchanging electronic documents within the instant messaging session [Galli, paragraph 51, lines 1-3, the IMLet makes the third party service represented by the IMLet immediately accessible in the IM session], wherein the electronic document is saved as part of the transcript [Galli, paragraph 77 – 84, example of how content is part of the transcript, figure 4].

Regarding claim 10, Roskind-Galli further discloses the electronic document specifies multimedia content [Galli, paragraph 58, figure 4, a movie link is specified].

Regarding claim 11, Roskind-Galli further discloses joining a Weblog agent to the instant messaging session, wherein the Weblog agent records transactions of the instant messaging session [Galli, paragraph 20, lines 1-3, paragraph 116, lines 2-5].

Regarding claim 12, Roskind-Galli further discloses sending the transcript to the Weblog using the Weblog agent [Galli, paragraph 109].

Regarding claim 13, Roskind-Galli-Stone further discloses formatting the transcript according to a template using the Weblog agent [Stone, chapter 16, 3rd paragraph, “WebCrimson goes beyond blogging in that you are allowed to create almost any type of site. Here is a list of WebCrimson’s standard features.”, “Automated templating

technology for generating whole new areas of your site with a consistent look and feel including: Single Entry templates, Index templates, Blog templates”].

Regarding claim 37, Roskind-Galli-Stone further discloses establishing an instant messaging session among two or more users [Roskind, paragraphs 74 and 93 and figure 6];

receiving a user request to join a Weblog agent to the instant messaging session [Galli, paragraph 20, lines 1-3, paragraph 116, lines 2-5];

recording the instant messaging session by the Weblog agent [Galli, paragraph 20, lines 1-3, paragraph 116, lines 2-5];

compiling the recorded instant messaging session into a transcript upon termination of the instant messaging session [Roskind, paragraphs 15 and 97];

assigning one or more Weblog destination to the transcript [Galli, paragraph 109];

generating an indicator indicating at least one of a format, font, and color in which the transcript is to be published [Stone, chapter 16, 3rd paragraph under “Template

Management Systems: The Future of Site Management”, “WebCrimson goes beyond blogging in that you are allowed to create almost any type of site. Here is a list of WebCrimson’s standard features:”, “Automated templating technology for generating whole new areas of your site with a consistent look and feel including: Single Entry templates, Index templates, Blog templates”];

publishing the transcript to one or more Weblogs corresponding to the assigned one or more Weblog destination according to the indicator [Galli, paragraph 116].

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind-Galli-Stone as applied to claim 1 above, and further in view of Lehikoinen et al., (US Publication No. 2005/0075097), (hereinafter Lehikoinen).

Regarding claim 4, Roskind-Galli-Stone discloses responsive to said detecting step, sending the transcript to the Weblog [Galli, paragraph 109].

Roskind-Galli-Stone does not specifically disclose detecting a state change in the portion of the memory.

However, Lehikoinen discloses tracking events used as the bases for updating the user's blog [Lehikoinen, column 4, lines 40 and 51-52]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the use of tracking events used as the bases for updating the user's blog in order to make use of detecting a state change.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind-Galli-Stone as applied to claim 1 above, and further in view of Linsey et al., (US Patent No. 6,791,582), (hereinafter Linsey).

Regarding claim 5, Roskind-Galli-Stone does not specifically disclose receiving a second user input requesting that the transcript be sent to the weblog; and sending the transcript to the weblog.

However, Linsey discloses users may be allowed to copy the transcripts of a chat [Linsey, column 32, lines 25-31]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the users copying and sending the transcripts to a weblog in order to allow all users of the system to access a weblog.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 4-13 and 37 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Examiner's Note: Examiner has cited particular paragraphs / columns and line numbers in the reference(s) applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the cited passages as taught by the prior art or relied upon by the examiner.

Should applicant amend the claims of the claimed invention, it is respectfully requested that applicant clearly indicate the portion(s) of applicant's specification that support the amended claim language for ascertaining the metes and bounds of applicant's claimed invention

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM J. GOODCHILD whose telephone number is (571)270-1589. The examiner can normally be reached on Monday - Friday / 8:00 AM - 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WJG
10/07/2008

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2445